

# Delegated Decision Report

Decision below £250k



<b>Subject:</b>	Adoption of Highways – Development at the Foxdenton Strategic Site – Lydia Becker Way, Chadderton (Spine Road - Phases 1, 2A and 2B)
<b>Decision maker: Senior Officer</b>	Nasir Dad, Director of Environment
<b>Decision maker: Cabinet Member</b>	Councillor C Goodwin, Portfolio Holder, Transport and Highways
<b>Decision date:</b>	28 October 2025
<b>Report author:</b>	Nathan Bell, Engineer
<b>Ward</b>	Chadderton South and Central

## Reason for decision

To document in retrospect the adoption of Lydia Becker Way as Highway Authority which was formalised in October 2023 and to identify the likely associated revenue costs to the Council.

## Recommendation(s)

To formalise the adoption, on behalf of the Council as Highway Authority, the highway specified in Schedule 1 at the end of this report as highway maintainable at public expense.

## Background

The highway at this development has been constructed by the developer to the Council's currently approved specifications for new highways. The Developer and the Council entered into three Section 38 Agreements (Highways Act 1980) whereby the local authority agreed to adopt the new road and take over the responsibility for maintaining it once it was satisfied that the highway had been built to its specified standards and in accordance with the planning consents which were granted for the development. The highway was subsequently adopted with effect from 19/10/2023.

This report is the conclusion of this process identifying the maintenance costs to the Council. The highway was inspected throughout its construction and was subject to a twelve-month maintenance period prior to its final inspection and adoption.

## Alternative option(s) to be considered

Option 1: To approve the recommendation.

Option 2: Not to approve the recommendation

## Consultation

The Ward Members have been consulted Councillor G Shuttleworth is happy to support Option 1. Councillor H Harrison approves of this adoption.

## Risks

The adoption of the highway at this location is under a completed Section 38 Agreement (Highways Act 1980) between the Council and the housing developer and as such even though the adoption will provide an ongoing financial liability to the Council for inspection and maintenance of the highway and street lighting equipment, there are financial/legal and reputation risks which could arise from legal action by the developer and residents if the adoption of the highways does not proceed. The change in status of the highway will be recorded in the Council's Local Street Gazetteer and in future the highway will be inspected and maintained by Oldham Highways in line with current Council schedules and specifications.

## Implications

Financial	<p>The maintenance cost for increasing the length of adopted road in Oldham by 1,020 linear metres (17,941 square metres) as detailed in Schedule 1 of this report is estimated to be £35,882 annually and will be revenue expenditure. (Based on a maintenance estimate of £2.00 per square metre of highway, extracted from the Spon's Civil Engineering and Highway Works Price Book).</p> <p>It has been advised that annual drainage maintenance of the Highway verge is required, in the form of swales cleaning. This is expected to cost £1,875 per year.</p> <p>This will be funded from within the Highway Operations Service.</p> <p>The adoption of the Highway will also result in growth in the Council's commitment for the maintenance of Street Lighting equipment.</p> <p>Based on maintenance and electrical supply costs as detailed in schedule 2, this is expected to increase charges by an estimated £15,341.28 annually.</p> <p>(John Edisbury)</p>
Legal	<p>As there is a signed Section 38 Agreement in place, the Council is contractually obliged to adopt the highways at the end of the maintenance period. (A. Evans)</p>
Equality impact including implications for Children and Young People	<p>None, the work is being undertaken to maintain access along the highway.</p>

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?	Yes
Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?	Yes
Are any of the recommendations within this report contrary to the Policy Framework of the Council?	No

Schedule 1

**Development at the Foxdenton Strategic Site – Lydia Becker Way, Chadderton (Spine Road - Phases 1, 2A and 2B)**

Lydia Becker Way	<p>From its junction with Foxdenton Lane and continuing in a generally north easterly direction for a distance of 250 metres to the roundabout, continuing around the roundabout for a distance of 150 metres and then continuing in a generally easterly direction for a distance of 620 metres to the section of Lydia Becker Way which is under the control of National Highways at its junction with Broadway Trunk Road.</p> <p>Area = 17, 941m<sup>2</sup></p> <p>There are also areas of associated highway verge (inclusive of Sustainable Urban Drainage features) located on either side of the highway totalling an additional 9,118 m<sup>2</sup></p> <p>Area = 9,118 m<sup>2</sup></p>
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**Schedule 2**

<b>Equipment Type</b>	<b>Annual Maintenance Cost (Per Unit)</b>	<b>Annual Energy Cost (Per Unit)</b>	<b>Quantity</b>	<b>Total AMC + AEC (Annual)</b>
Lightings Columns > 8m and < = 10m in height galvanised	£49.74	£522.38	24	£13,730.72
All Remaining Luminating Apparatus All Remaining Luminating Apparatus	£36.73	£43.80	20	£1,610.56
			<b>Total</b>	<b>£15,341.28</b>

**Background Papers under Section 100D of the Local Government Act 1972**

There are no background papers for this report.

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Report author sign-off	Nathan Bell
Role	Section 38 Engineer
Date of sign-off	28 October 2025

<b>Approval</b>	
Officer approval sign-off	Nasir Dad
Role	Director of Environment
Date of sign-off	17/12/25

Drawn By:	AD
Division:	HIGHWAYS & ENGINEERING
Date:	01/10/2025
Drawing No.:	LOCATION PLAN 409/53C/61C/62C

**ADOPTED HIGHWAY SHADED YELLOW**

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